

# Issaquah Title 18 Update

## Draft Part 5 Specified Use Standards

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**i** Many of the standards from IMC 18.07 have been relocated to 18.400, Zones, as they apply across the zone. These chapters retain Specified Use Standards that apply to a specific use, no matter what zone it is located in.

## Chapter 18.500 Residential Use Standards

### Article I: Intent and Applicability

#### 18.500.010 Intent

**i** Intent adapted from Intent statements in 18.07. These standards work together with the Use Table at IMC 18.402 Permitted Uses. This section also references IMC 18.200 Permits and Procedures, which will include required permit types.

- A. Intent: The intent of providing specified standards for certain residential uses is to:
  1. Provide convenient, pedestrian-oriented residential uses that are developed at a human scale;
  2. Encourage uses which offer a variety of housing within areas of the City;
  3. Have development that has human character and pedestrian scale.

#### 18.500.020 Applicability

- A. Permitted locations and level of review required for these supplemental use standards are governed by 18.402.020, Residential Zone Permitted Uses, and 18.200.XXX, Permits and Procedures.
- B. Mixed Use projects: All Specified Use standards pertinent to residential development apply to residential mixed use developments.

## 18.500.030 Exceptions

**i** This reasonable accommodations exception adapted from 18.07.400, Reasonable accommodation.

- A. The Federal Fair Housing Act (FFHA) requires that reasonable accommodations be made in rules, policies, practices, or services, when such accommodations may be necessary to afford persons with disabilities equal opportunity to use and enjoy a dwelling. The Director is therefore authorized to make accommodations in the provisions of this Code as applied to dwellings occupied or to be occupied by persons with disabilities as defined in the Federal Fair Housing Act, when the Director determines that such accommodations reasonably may be necessary in order to comply with such Act.

## 18.500.040 Allowed Deviations to this Chapter

- A. Deviations from this chapter must be requested according to the appropriate permit process in IMC 18.200 Permits and Procedures.
- B. Allowed deviations from the Residential Use Standards are:
1. Applying Senior Housing Standards for Persons with Special Housing Needs. Persons with special housing needs, other than seniors, such as disabled or low-income persons, may seek a deviation to reside in housing developed using senior housing standards IMC 18.500.110. In addition to the Deviations criteria at IMC 18.200 Permits and Procedures, requests for this deviation must also meet the specific approval criteria at IMC 18.500.110.D Senior Housing Exceptions for Special Needs and Affordable Housing.

## Article II: Standards

### 18.500.050 Manufactured Homes

**i** This section is adapted from 18.07.430 with minor edits.

- A. Intent: These standards intend to ensure that manufactured homes and subdivisions are planned, developed, and maintained to provide safety for their residents while ensuring that manufactured homes are compatible with the scale and character of the surrounding neighborhood. The standards aim to provide affordable and diversified housing opportunities within the City while maintaining established standards. Manufactured homes must meet the most current HUD Code standards.
- B. Approval Criteria: Manufactured home subdivisions are permitted as established in the Table of Permitted Land Uses. Within the subdivision, or as separate units, manufactured homes are permitted; provided they meet all the following approval criteria:
1. Manufactured Home Subdivisions must meet the same land development and site improvement standards that apply to conventional subdivisions.
  2. In addition to any state requirements (for example RCW [35A.21.312](#)), manufactured homes must also meet all of the following requirements:
    - a. Fuel Oil Supply Systems: All fuel oil supply systems must be constructed and installed according to applicable building and safety codes except that any bottled gas tanks may be fenced so as not to be clearly visible from the street or abutting property.
    - b. Mobility: The hitch, axles, and wheels of a manufactured home must be removed.
    - c. Permanent Foundation: The manufactured home must be placed on a permanent foundation as specified by the manufacturer and that complies with the City's building code for residential

structures. If the manufacturer does not allow the use of a permanent foundation, the exterior covering must extend to the ground.

- C. Modular Homes: Modular homes must be permitted in any district or area in which conventional site-built homes are allowed; provided they conform to the same rules and regulations applicable to site-built homes.
- D. Pre-HUD Manufactured Homes: Pre-HUD manufactured homes (mobile homes) are not allowed as permanent residences within the City because, as defined, they were built before the Housing Construction and Safety Standards Act of 1974, and do not bear the insignia of HUD. Legally nonconforming pre-HUD manufactured homes approved as permanent residences within the City prior to the effective date of this Code are exempt.

## 18.500.060 Assisted Living Standards.

**i** Adapted from IMC 18.07.380, Assisted living facilities.

**i** Standards related to requirements from other chapters or Parts are removed including shared-space requirements for assisted and senior housing, screening by zone, parking, circulation.

**i** Exemptions for areas with architectural standards and active HOAs added.

- A. Intent: The intent of requiring specific standards for the development of assisted living facilities is to:
  - 1. Ensure assisted living facilities are compatible in scale and character to the surrounding neighborhood or area;
  - 2. Provide enjoyable and safe housing for assisted living facilities' residents and the surrounding community; and
  - 3. Recognize special safety and compatibility considerations regarding the assisted living facilities and the surrounding land uses by providing compatibility between this specialized multifamily use and the surrounding land uses.
- B. Approval Criteria: In addition to meeting all state and federal regulations and procedures, approval may be permitted only if the following approval criteria are met:
  - 1. Provide amenity space consistent with IMC 18.612 Community Space and Green Necklace.
  - 2. Building Modulation: Building modulation is intended to break up the overall bulk and mass of the exterior of an Assisted Living building, including townhouses. Modulation should also add character to the overall building exterior as well as to individual units. The following standards apply to areas that do not have City adopted architectural standards (Central Issaquah, Olde Town Single-Family/Duplex zone) or active Architectural Review Committees (Issaquah Highlands, Talus).
    - a. Building facade modulation must occur at every 25 feet of wall length. The modulation can take the form of decks, balconies, indentations, extrusions, and other various forms;
    - b. Minimum modulation depth must be approximately three feet; and
    - c. Minimum modulation width must be approximately eight feet.

**i** Specified minimum of roofline variations is added. Continued review of the amount will occur with the next draft. Other unspecified options that the Director would approve has been removed.

- 3. Roofline Variation: Roofline variation is intended to break up the overall bulk and mass of a multifamily building and to provide a visual relief as viewed against the skyline. Roofline variation must occur on all Assisted Living Structures with rooflines which exceed 50 feet in length. In areas that do not have City

adopted architectural standards (Central Issaquah, Olde Town Single-Family/Duplex zone) or active Architectural Review Committees (Issaquah Highlands, Talus), roofline variation must be achieved using at least one of the following methods:

- a. Vertical offset ridge line by a minimum of two feet;
- b. Horizontal offset ridge line by a minimum of three feet; or
- c. Variations of roof pitch by a minimum of three degrees (for example using 4:12 and 7:12 pitches).

## 18.500.070 Senior Housing Standards

**i** Adapted from 18.07.390, Senior housing standards.

**i** Standards related to requirements from other chapters or Parts are removed including shared-space requirements for assisted and senior housing, screening by zone, parking, circulation.

**i** Exemptions for areas with architectural standards and active HOAs added.

A. Intent: The intent of requiring specific standards for senior housing is to:

1. Provide incentives through parking requirement reductions and density bonus provisions to develop housing opportunities for persons 55 years of age or older in a responsive and appropriate manner consistent with their special needs;
2. Regulate the bulk, height, and spacing of buildings in order to obtain adequate light, air, and privacy;
3. Provide a well-designed and safe environment for seniors; and
4. Ensure that senior housing is compatible with the surrounding area and adjacent land uses.

B. Density Bonus Provisions:

1. Density Increase:

a. Density Increase Allowances:

In those zoning districts where senior housing developments are permitted (IMC 18.402, Table of Permitted Land Uses), the following density bonus provision may be used to increase the density above the base density allowed in the zoning district by:

- (1) An increase of 1/3 unit for every unit up to 950 square feet
- (2) An increase of 2/3 unit for every unit up to 700 square feet

For example, a site with six 900 square foot units allowed by zoning would be permitted to have two extra units (1/3 unit for each of the six units) for a total of eight units on the site.

b. Density Increase Criteria:

Density will be increased provided the following approval criteria are met:

- (1) Occupancy: The entire project must be reserved for senior occupancy; and
- (2) Size: Both the proposed unit and the resultant additional unit each have no more than 950 square feet of gross floor area per dwelling unit, excluding decks and storage/shed areas.

**i** Table of parking standards removed to be included in updated 18.608

2. Covenant Required: The occupancy requirements for the individual senior housing units and the entire project, where density bonus provisions are used, are to be guaranteed by an acceptable covenant or land use agreement between the owner and the City. The covenant or land use agreement must remain

in effect for the life of the structure. If the use of the property should change to a use other than senior housing, the property must revert to its underlying zoning and density restrictions; parking requirements and any existing structure must be brought into conformance to the underlying zoning.

3. Occupancy: Occupancy of senior housing units is restricted to persons 55 years of age or older with the following exceptions:
  - a. Adults of any age who are related to, spouse of, or cohabitants with, an occupant who is 55 years or older.
  - b. A child over 18 years of age residing with at least one parent, grandparent, or legal guardian over 55 years of age.
  - c. Adults under 55 years of age if their presence is required to assist an occupant over 55 years of age.

C. Approval Criteria: The following criteria are required for all senior housing development proposals:

1. Building Modulation: Building modulation is intended to break up the overall bulk and mass of the exterior of a senior housing building, including townhouses. Modulation should also add character to the overall building exterior as well as to individual units. The following standards apply to areas that do not have City adopted architectural standards (Central Issaquah, Olde Town Single-Family/Duplex zone); or active Architectural Review Committees (Issaquah Highlands, Talus).
  - a. Building facade modulation must occur at every 25 feet of wall length. The modulation can take the form of decks, balconies, indentations, extrusions, and other various forms;
  - b. Minimum modulation depth must be approximately three feet; and
  - c. Minimum modulation width must be approximately eight feet.

**i** Specified minimum of roofline variations is added. Continued review of the amount will occur with the next draft. Other unspecified options that the Director would approve has been removed.

2. Roofline Variation: Roofline variation is intended to break up the overall bulk and mass of a multifamily building and to provide a visual relief as viewed against the skyline. Roofline variation must occur on all Senior Housing structures with rooflines which exceed 50 feet in length. In areas that do not have City adopted architectural standards (Central Issaquah, Olde Town Single-Family/Duplex zone) or active Architectural Review Committees (Issaquah Highlands, Talus), roofline variation must be achieved using at least one of the following methods:
  - a. Vertical offset ridge line by a minimum of two feet;
  - b. Horizontal offset ridge line by a minimum of three feet; or
  - c. Variations of roof pitch by a minimum of three degrees (for example using 4:12 and 7:12 pitches).

**i** The following section is adapted from 18.07.320 Senior housing adjustment for special needs and affordable housing. A specific deviation has also been added above under 18.500.040. this section will need ongoing review with City's Affordable Housing plans.

D. Deviation for Special Needs and Affordable Housing.

1. A Deviation may be sought to allow occupancy of housing developed using senior housing standards by persons with special housing needs, other than seniors, such as disabled or low-income persons.
2. Approval Criteria: The following criteria are required in order to permit special housing needs and occupancy by persons other than seniors, such as disabled or low income persons:

- a. Funding: The development of the project is dependent upon funding sources which require, as a condition of funding, that provisions be made for disabled or low-income persons or other population segment (other than seniors);
- b. Housing Ratio: Housing for disabled, low-income persons, or other segment of the population (other than seniors) may be no more than 50% of the dwelling units within the senior housing development;
- c. Size of Units: The units which are not designated for seniors are not limited to nine hundred fifty (950) square feet in size, however, those units over 950 square feet may not qualify for the density bonus provisions;
- d. Density Bonus/Parking Requirements: All units within the senior housing development, including the 50% or less designated for other persons, may use the density bonus at IMC 18.514 Affordable Housing; however, dwelling units for disabled or low-income persons or other persons are required to provide parking requirements for multifamily development per IMC 18.608 Parking;
- e. Contract Required: The units are reserved, by contract or other legal method, for the disabled, low-income persons, or other segment of the population (other than seniors).
- f. Density Bonus for Exceptions for Special Needs and Affordable Housing: follows the same formula and criteria provided in 18.500.110(B.1).

## Chapter 18.502 Commercial, Retail, and Mixed Use Standards

### Article I: Intent, and Applicability

#### 18.502.010 Intent

**i** Intent adapted from IMC 18.07.520, Shopping center standards.

- A. Intent: The intent of providing specified standards for certain non-residential uses is to:
  1. Provide efficient, convenient, pedestrian-oriented, non-residential uses that are developed at a human scale;
  2. Encourage uses which offer a variety of services and goods within areas of the City; and
  3. Have development that has human character and pedestrian scale.

#### 18.502.020 Applicability

- A. Permitted locations and level of review required for these supplemental use standards are governed by 18.402.020, Mixed Zone Permitted Uses, and 18.200.XXX, Permits and Procedures.
- B. Nonresidential: All Specified Use standards pertinent to nonresidential development apply to residential mixed use developments.

## 18.502.040 Allowed Deviations to this Chapter

### Article II: Standards

- i** Existing code 18.07.370, Residential mixed use developments, was not maintained. The standards are continued by regulating the specific uses and through building / site design standards in Part 4.

### 18.502.050 Shopping Center Standards.

- i** This section was adapted from IMC 18.07.520, Shopping center standards.
- i** No specified exterior common area was required by current code. 18.612.070 requires outdoor Community Space in Issaquah Highlands, Talus, and Central Issaquah. More fine grained standards for shopping centers of different sizes may need to be developed.

- A. Enclosed Shopping Centers: For enclosed shopping centers, inside common area must be 15% of the total retail area. The internal corridor of the enclosed center must count toward meeting the requirement for common area if seating, plantings, and other amenities are provided.
- B. Pedestrian Orientation: A minimum of 25% of the retail area must be oriented to pedestrians, through retail store frontage immediately adjacent to the front setback and/or side setback, whichever is more pedestrian oriented.
- C. Underlying Zoning: Uses permitted in shopping centers are determined by the uses permitted in the zoning district in which the center is to be located. Shopping centers are not a separate use in the Permitted Use Table. See definitions.

### 18.502.060 Bed and Breakfast/Guest House Standards.

- i** Adapted from 18.07.090 Bed and breakfast/guest house standards.

- A. Intent: beyond that provided in the General Commercial, Retail, and Mixed Use Standards Intent in 18.502.010, the intent of requiring specific standards for bed and breakfast/guest house operations is to:
  - 1. Ensure that the location and operation of the bed and breakfast/guest house operation is consistent with the existing character of the surrounding area in terms of appearance, traffic levels, and other development standards; and
  - 2. Provide for the safety of guests and residents.
- B. Applicability: Bed and breakfast/guest house operations may be permitted as provided in the Tables of Permitted Land Uses IMC 18.402. If they are allowed in a residential zone, then a Bed and Breakfast/guest house must comply with both the home business standards at IMC 18.500.050 and the approval criteria for bed and breakfast/guest house operations in this Section.
- C. Approval Criteria:
  - 1. Annual Review: An annual review of a bed and breakfast/guest house operation may be a condition of approval and must be done concurrently with the renewal of the Business License. If the review indicates that the operation is not being conducted according to the approval criteria, the renewal of the Business License must be denied, or must be approved only upon documentation that the approval criteria are met.



2. Bathroom Facilities: Separate toilet and shower facilities for the exclusive use of guests must be provided and cannot be shared with the owner or manager/proprietor.
3. Compliance With County and State Guidelines: The operation must comply with the most current Bed and Breakfast Guidelines as developed by the Washington State Environmental Health Directors and the King County Department of Public Health.
4. Dwelling Unit: The owner, proprietor, or manager of the operation must live on the premises and a dwelling unit for the owner, proprietor, or manager must be provided.
5. Food Service:
  - a. Cooking facilities or cooking are not allowed in guest bedrooms;
  - b. Food preparation for guests is allowed only if all applicable approvals have been issued by the King County Department of Public Health;
  - c. Food must not be sold to nonguests, unless the operation is located in a zoning district which permits restaurant facilities, and the owner of the operation acquires the required permits and licenses for a restaurant facility;
  - d. Breakfast must be the only meal provided to guests, unless the operation has received the required permits and approvals for a restaurant facility;
  - e. Sale of alcoholic beverages to guests or non-guests is prohibited, unless associated with a restaurant facility and the proper permits and liquor licensing have been obtained.
6. Parking: Compliance with IMC 18.608 Parking is required. Where possible, required parking must be located on site, and to the side or rear of the operation. Parking area landscaping must be provided in accordance with the City's adopted landscape regulations, IMC 18.610.
7. Refuse/Recycling: In residential zones, the refuse/recycling area must be designed and screened so that there is no adverse impact to the neighborhood. In zones that are not residential, the operation must abide by the regulations for refuse/recycling areas (available at the Permit Center).
8. Signs must be consistent with IMC 18.616 Signs.

### **18.502.070 Day Care Operation and Adult Family Home Standards.**

**i** Adapted from 18.07.100 Day care operation and adult family home standards. Definitions for Day Care center, Family Day Care Center, and Adult Family Home will be moved to Definitions.

- A. Intent: Beyond that provided in the General Commercial, Retail, and Mixed Use Standards Intent in 18.502.010, the intent of the standards is to provide additional standards to the relevant state laws related to day care operations. The intent of requiring city specific standards for day care operations is to:
  1. Encourage the location and operation of day care operations and adult family homes throughout the City while maintaining the compatibility of the use with adjoining properties and uses;
  2. Regulate the location and maintain standards of day care operations and adult family homes in order to protect the health, safety and welfare of children, disabled adults, employees, and the community; and
  3. Provide the opportunity for various forms and sizes of day care operations throughout the City, including but not limited to: day care centers and family day care centers including preschool and adult care operations.
- B. Applicability: This section applies to establishment of a commercial care facility, including a Day Care Center, Family Day Care Center, and an Adult Family Home.

- C. Review Required: Care facilities are subject to review and licensing by the State and must be reviewed according to IMC 18.402 Tables of Permitted Uses and IMC 18.200 Permits and Procedures. Adult Family Homes and Family Day Care Centers standards are established by the State and must also comply with IMC 18.4XX.XXX Home Businesses.

**i** The following Approval Criteria for Day Care Operations were distinguished between those for commercial uses versus those operated as a home business. This dual location will be confirmed with the consolidated draft.

- D. Approval Criteria: Day care operations must meet the following approval criteria:
1. General Day Care operation criteria:
    - a. Fencing Required: All outdoor play areas must be entirely enclosed with a solid wall or fence a minimum of six feet in height, with gated openings only.
    - b. Inspection for Compliance: The operator must grant the City permission to enter the property and inspect the operation for compliance with the requirements of the Code and other applicable City regulations.
  2. Day Care operations criteria in non-residential areas:
    - a. Access: An on-site vehicle turnaround or separate entrance and exit points, and passenger loading area is required. The City must review the location and appearance of the proposed turnaround or access to ensure it does not create conflicts with surrounding uses and complies with City Street Standards.
    - b. Community or Religious Facilities: Day care centers are allowed as accessory uses within new or existing facilities such as religious or community buildings, including community center, library, or similar facility, if all approval criteria are met. Any new construction or remodeling of a religious facility or community facility to include day care center services must be reviewed pursuant to IMC 18.200, Permits and Procedures.
  3. Day care operations criteria in residential areas: Every day care center must be designed with similar scale, massing, and design as described in IMC 18.406, Building Design. The City may require conditions of approval including, but not limited to, the hours of operation, in order to ensure compatibility with the surrounding land uses. In cases where conflicting rules and regulations apply to a proposed operation, the DSHS rules apply.
- E. Temporary/Special Event Day Care Operation: Temporary day care operations, for example, as an accessory to a festival or concert, may be permitted through the approval of a Special Events Permit. Approval criteria include:
1. Conditions: The City may require operation conditions including the hours of operation, in order to ensure compatibility with the surrounding land uses; and
  2. Safety and Welfare: Every temporary day care operation must ensure the safety and welfare of the children using those services while under the care and supervision of the staff and/or owners of such establishment.

**i** This section adapted from 18.06.130, Table of Permitted Land Uses, footnotes related to locating these uses.

### **18.502.080 Proximity of Schools and Day Care to Service Stations and Intensive Convenience Stores.**

- A. Within a 300-foot distance radius, the following uses are restricted:
1. An Automobile Service Stations may not be within the radius from any children’s state-licensed school facility, including day care, preschool, and grades K through 12.
  2. An Intensive Convenience Store may not be within the radius from any children’s state-licensed grades K through 12. This requirement does not apply to day care and preschool facilities.

**i** This section adapted from 18.07.527 Self-storage facility standards

### **18.502.090 Self-storage facility standards.**

This section applies to any new construction of a self-storage facility, whether a new development or a new building within an existing self-storage facility or site.

- A. Approval criteria: Self-Storage Facilities may be permitted only if the following approval criteria are met:
1. Location: In Central Issaquah, Self-Storage facilities are only allowed in the MU-CI zone along East Lake Sammamish Parkway SE or 221st Place SE.
  2. Controlled Access must be monitored electronically and/or by facility staff at all times.
  3. Colors: Exterior colors, including any internal corridors or doors visible through windows, must be colors consistent with the Olde Town Single Family/Duplex Architectural Standards, regardless of development location, except the following areas are excluded: areas with adopted color palettes (Central Issaquah, Olde Town) or active Architectural Review Committees (Issaquah Highlands, Talus).

**i** Building Design uses components from 18.07.527 Self-Storage and residential building design to establish specific objective standards.

4. Building Design for Self-Storage facilities outside of areas that do not have City adopted architectural standards (Central Issaquah) or active Architectural Review Committees (Issaquah Highlands, Talus):
  - a. Building Length is a maximum of 150 linear feet, regardless of modulation, for any facade located within 50 feet of and facing a residential zoned property or designated major street.
  - b. Building Modulation must be incorporated into the overall design to reduce the bulk and mass of the building(s). The modulation can take the form of indentations, extrusions, and other forms, with a minimum modulation depth of at least three feet and minimum modulation width of at least eight feet. Each 50 feet of wall length must have at least one modulation.
  - c. Facade Material Variation for exterior surfaces, excluding roofs: no one material may cover more than 50% of the area of each façade.
  - d. Roof Line Variation: Have roof line variation for any roof lines which exceed fifty feet in length. Roof line variation must be achieved using one or more of the following methods: Roofline variation is intended to break up the overall bulk and mass of a self-storage building and to provide a visual relief as viewed against the skyline. Roofline variation must occur on all self-storage buildings with rooflines which exceed 50 feet in length:

- (1) Vertical offset ridge line by a minimum of two feet;
  - (2) Horizontal offset ridge line by a minimum of three feet; or
  - (3) Variations of roof pitch by a minimum of three degrees (for example using 4:12 and 7:12 pitches).
5. Access: The use of public right-of-way is prohibited for the individual accessing of storage units or circulation between rows of units.
  6. Storage Unit Doors to individual units within the self-storage building must not face any residential property or a designated major street.
  7. Loading Bay Doors for access to the facility as a whole must not face any Residential zoned property or designated major street unless the site location offers no alternative.
- B. Multi-Story Self-Storage Facilities must:
1. To provide a sense of entry, a multi-story self-storage facility must have an architecturally prominent entry and lobby.
  2. A multi-story self-storage facility must have at least forty 40% of each facade at each floor composed of exterior wall openings filled with transparent windows. Such treatment may be omitted from those portions of facades that face inward to a self-storage development and are not visible from any surrounding right-of-way or property.

### **18.502.100 Veterinary Clinic, Boarding Kennel, Pet Daycare.**

**i** This section adapted from 18.07.180 Animals - Veterinary clinic/boarding kennel/pet daycare

- A. Intent: Beyond that provided in the General Commercial, Retail, and Mixed Use Standards Intent in 18.502.010, the intent of these standards is to:
  1. While allowing a necessary service, minimize the impact and nuisance of these facilities on adjacent property owners.
- B. Outdoor accessory services and/or uses are restricted to the hours of 7:00 a.m. to 9:00 p.m.
- C. Location of services:
  1. Overnight Boarding: Only veterinary clinics and boarding kennels may provide overnight boarding services. These services must be located in a building and the structure must be soundproofed to minimize noise impacts to the surrounding properties and comply with noise ordinances.
  2. Indoor Accessory Services and/or Uses: Veterinary clinics and pet daycares within any allowed zoning district, except for the IC (Intensive Commercial) zoning district, must have all accessory services and/or uses located indoors.
  3. Outdoor Accessory Services and/or Uses: Veterinary clinics and pet daycares located within the IC (Intensive Commercial) zone and boarding kennels located in any allowed zone may have outdoor accessory services and/or uses, such as animal exercise areas, subject to the following conditions:
    - a. When abutting or in a residential zone, the outdoor area must be:
      - (1) Located within an interior courtyard completely surrounded by building walls; or
      - (2) Enclosed by a solid fence and reviewed per IMC18.200 Permits and Procedures.
    - b. When not abutting a residential zone, the outdoor area must be:

- (1) Located within an interior courtyard completely surrounded by building walls; or
- (2) Enclosed by a solid fence no less than six feet tall which may not be located within a required setback and screened per IMC 18.604.060, Fences and Walls.

### **18.502.110 Recreational cannabis facilities.**

**i** This section adapted from 18.07.512, Recreational marijuana facilities. Name has been changed to "cannabis" from "marijuana" consistent with State language. Provisions which mirror state law were removed.

- A. Intent: The intent of this section is to minimize the impacts of recreational cannabis facilities on surrounding properties and ensure public safety while providing for appropriate siting of recreational cannabis facilities licensed in accordance with state law.
- B. General Requirements: Recreational cannabis facilities must:
  1. Be entirely within a permanent enclosed structure with a roof;
  2. Be the primary use at a location. Recreational cannabis facilities are not allowed as an accessory use or as a home business (see IMC 18.500.050, Home businesses and IMC 18.510, Accessory Uses);
  3. Be operated by persons or entities holding a valid cannabis license from the Washington State Liquor and Cannabis Board issued under Chapter 314-55 WAC and any other applicable State laws and regulations;
  4. Obtain a City business license;
  5. Ensure that no horticulture production, processing or delivery of cannabis is visible to the public;
  6. Allow inspection of the site and facilities by City personnel including law enforcement for compliance with all applicable permits and licenses at any time during regular business hours; and
  7. No more than two retail facilities may operate in Issaquah at any time regardless of State allocations of retail cannabis licenses.
- C. Separation Requirements:
  1. Only one recreational cannabis facility is allowed in a single tenant space, except a cannabis licensee holding both cannabis producer and cannabis processor licenses may locate their combined operation in a single tenant space;
  2. No recreational cannabis facility must be permitted within 500 feet of any other recreational cannabis facility;
  3. If a use listed in subsection IMC 18.502.130.D.1 locates within 1,000 feet of a recreational cannabis facility after the recreational cannabis facility is lawfully established, such use may not benefit from the separation requirements of this subsection. A recreational cannabis facility is lawfully located under the Issaquah Municipal Code if it has located within the City in accordance with the requirements of this section.
- D. Application Requirements: An application for a recreational cannabis facility must include the following information in addition to the application requirements found at IMC 18.200 Permits and Procedures:
  1. The application must be made by:
    - a. A cannabis licensee; or

- b. An applicant for a cannabis license. The application must include a copy of the license or a copy of the license application. A permit may not be issued for a recreational cannabis facility unless the applicant is a cannabis licensee;
  - 2. A map drawn to scale showing that the proposed recreational cannabis facility is at least one thousand 1,000 feet from all uses specified in RCW 69.50.331 and WAC 314-55-050. A survey prepared by a surveyor licensed in the state of Washington may be required by the Director; and
  - 3. The applicant must submit a copy of the operating plan required by the Washington State Liquor and Cannabis Board as part of the license application.
- E. Security Requirements: A recreational cannabis facility must:
- 1. Have installed, prior to issuance of a business license, an operational security system that is monitored 24 hours a day;
  - 2. Have installed, prior to issuance of a business license, an operational security camera system which retains recordings from all installed cameras for a period of not less than 60 days;
  - 3. Have installed, prior to issuance of a business license, any other security system as required by WAC 314-55-083; and
  - 4. Comply with the crime prevention through environmental design (CPTED) regulations in IMC 18.606, to the extent possible.

### **18.502.120 Adult entertainment standards.**

**i** This section adapted from 18.07.510 Adult entertainment standards.

- A. Intent: The intent of requiring standards for adult entertainment facilities is to mitigate the adverse secondary effects caused by such facilities and to maintain compatibility with other land uses and services permitted within the City.
- B. Applicability: The standards established in this chapter apply to all adult entertainment facilities and include, but are not limited to, the following: adult arcades, adult entertainment cabarets, adult motels, adult motion picture theaters, and adult retail stores.
- C. Limitations: The standards established in this chapter may not be construed to restrict or prohibit the following activities or products:
  - 1. Expressive dance as defined in IMC 5.10.030(N);
  - 2. Plays, operas, musicals, or other dramatic works;
  - 3. Classes, seminars, or lectures conducted for a scientific or educational purpose;
  - 4. Printed materials or visual representations intended for educational or scientific purposes;
  - 5. Nudity within a locker room or other similar facility used for changing clothing in connection with athletic or exercise activities;
  - 6. Nudity within a hospital, clinic, or other similar medical facility for health-related purposes; and
  - 7. All movies and videos that are rated G, PG, PG-13, R, and NC-17 by the Motion Picture Association of America.
- D. Separation Requirements: Adult entertainment facilities may be permitted as established in the Table of Permitted Land Uses IMC 18.402 only if the following separation requirements are met:

1. Location: An adult entertainment facility may not be permitted to locate within 500 feet of any of the following zones or uses whether such zones or uses are located within or outside of the City limits:
    - a. A residential zone;
    - b. A public or private primary or secondary school;
    - c. A preschool or nursery school;
    - d. A licensed day care center;
    - e. A public library;
    - f. A public park, private park open to the general public, public swimming pool, public playground, or other similar facility used primarily for community recreation;
    - g. A gymnastics center, ballet school, the Issaquah Salmon Hatchery, or other similar facility used primarily by children for educational or recreational purposes;
    - h. A church, temple, mosque, synagogue, chapel, or other similar religious facility; and
    - i. A residential, day treatment, or workshop facility primarily oriented towards persons with mental disabilities.
  2. Measurement: In calculating the measurement of the 500-foot buffer between an adult entertainment facility and a protected zone or use specified in IMC 18.502.130.D.1, such distance must be measured by extending a straight line between the nearest boundary line of a protected zone or nearest physical point of the structure housing a protected use, to the nearest physical point of the structure housing an adult entertainment facility.
  3. One Adult Entertainment Facility Per Site: No more than a single adult entertainment facility must be permitted on any given property.
  4. North Issaquah Annexation Area: No adult entertainment facility must be permitted to locate within the territory of the North Issaquah Annexation area, as described in Ordinance No. 2264, passed by the Issaquah City Council on December 6, 1999.
- E. Deviations may be granted from the separation requirements in 18.502.130.D, using procedures established in IMC 18.200, if the applicant demonstrates that all of the following criteria are met:
1. The natural physical features of the land would result in an effective separation between the proposed adult entertainment facility and the protected zone or use in terms of visibility and access;
  2. The proposed adult entertainment facility is otherwise compatible with adjacent and surrounding land uses;
  3. There is a lack of alternative locations for the proposed adult entertainment facility; and
  4. The applicant has proposed conditions which would minimize the adverse secondary effects of the proposed adult entertainment facility.
- F. Application of Separation Requirements to Lawfully Located Adult Entertainment Facility: A protected use specified in IMC 18.502.130.D.1 may not benefit from the separation requirements of this section if the protected use chooses to locate within 500 feet of a lawfully established and licensed adult entertainment facility.

# Chapter 18.504 Industrial Use Standards

## Article I: Intent and Applicability

### 18.504.010 Intent

**i** This section was adapted from 18.07.500, Utility facilities.

A. Intent: The intent of this section is to:

1. Ensure compatibility with surrounding uses regarding aesthetics, height, and other development standards;
2. Encourage uses which offer a variety of services and goods within the City; and
3. Provide for utility facility improvements and additions necessary to meet local and regional needs and implement Issaquah's Comprehensive Plan.

### 18.504.020 Applicability

A. Permitted locations and level of review required for these supplemental use standards are governed by IMC 18.402.020, Mixed Zone Permitted Uses, and 18.200.XXX, Permits and Procedures.

### 18.504.030 Exceptions

A. Utility Facilities

1. Minor modifications, maintenance, repair or replacement of elements of an existing utility facility are exempt from the supplemental development standards established herein and from the review procedures established in IMC 18.200, Permits and Procedures. However, these proposals are subject to other land use development regulations within the City's adopted regulations, such as the Shoreline Master Program and critical areas regulations.

## Article II: Standards

**i** This section was adapted from 18.07.500, Utility facilities. Comprehensive Plan portion was removed.

### 18.504.050 Utility facilities.

- A. Major/Minor Utility Facilities: Major and/or Minor utility facilities are subject to the review procedures identified in the Table of Permitted Land Uses and must be permitted when the following approval criteria established in this section are met.
- B. Approval Criteria – All Utility Facilities:
1. Height: Wireless and other communication towers and water storage tanks must be designed so as to be the lowest height possible to adequately serve the needs of the utility.
  2. Undergrounding: Communication facilities must be installed underground or within buildings to the greatest extent practical in order to maximize safety and minimize visual and noise impacts upon surrounding properties. Electrical distribution lines should also be installed underground in accordance with the terms and conditions established by the Washington Utilities and Transportation Commission.
  3. Architectural form and character.



- a. Significant Elements: Compatibility of architectural form is not applicable to a utility facility where significant elements of the facility are not housed in a building; however, screening is required to ensure compatibility with adjacent uses and minimize visual impact.
  - b. Isolated Elements: Compatibility of architectural form is not applicable for isolated minor elements such as pad mounted transformers, telephone pedestals and metering stations; however, screening is required to ensure compatibility with adjacent uses.
4. Noise: No machinery or equipment may cause noise beyond established state standards, as measured at the property line, electrical interference, or similar disturbances.
5. Residential Areas:
- a. Impacts: Such facilities must, whenever possible, be located and designed to minimize adverse impacts on nearby residential areas;
  - b. Storage: In residential zones, there must be no outdoor storage of utility related vehicles or any outdoor storage of utility related materials outside the utility buildings or structures.

### **18.504.060 Hazardous waste storage and/or treatment facilities.**

**i** Following standard on hazardous waste adapted from 18.07.550 Hazardous waste storage and/or treatment facilities.

- A. As an accessory use, on-site storage and/or treatment facilities for hazardous waste must be allowed for those permitted uses generating the waste and uses otherwise permitted within that zoning district. Such treatment and storage facilities must be consistent with state siting criteria adopted pursuant to Chapter 70.105 RCW, as now existing, or amended, whether by state statute or the WAC provisions.

## **Chapter 18.506 Public, Institutional, and Open Space Use Standards**

### **Article I: Intent, and Applicability**

#### **18.502.010 Intent**

**i** Intent adapted from IMC 18.07.520, Shopping center standards.

- A. Intent: The intent of providing specified standards for certain public, quasi-public, and institutional uses is to:
- 1. Provide efficient, convenient, pedestrian-oriented, public, quasi-public, and institutional uses that are compatible with the district in which they are located; and
  - 2. Encourage uses which offer a variety of services and goods within areas of the City.

## Article I: Exceptions and Deviations

### 18.506.020 Exceptions

### 18.506.030 Allowed Deviations to this Chapter

## Article II: Standards

### 18.506.040 Outdoor Recreation Facilities.

**i** This section adapted from IMC 18.07.490, Outdoor recreation facilities. Applicability is new. Several sections which are vague or beyond the scope of a private development have been removed: environmental impacts (addressed by 18.802), signs (addressed by 18.616), linkages to community facilities. Trailheads will be relocated to Circulation. Safety may need further expansion.

- A. **Applicability:** This section only applies to privately developed, owned, and maintained outdoor recreation facilities and not to City developed, owned, and maintained outdoor recreation facilities.
- B. **Intent:** The intent of defining standards for outdoor recreation facilities is to ensure that safe and functional facilities are provided which are compatible with the surrounding area. Due to the diverse types of recreation facilities, the standards are general in scope.
- C. **Approval Criteria:** The following approval criteria are required for all outdoor recreation facilities:
  - 1. **Access:** Existing or proposed motorized and nonmotorized access to and through facilities, including barrier-free, pedestrian and bike, are provided and identified;
  - 2. **Maintenance:** Long term maintenance requirements are identified, funding options are noted, and a long term maintenance program is provided;
  - 3. **Phasing:** Phasing, if any, of the construction of the facility is identified;
  - 4. **Safety:** The safety of all users is ensured through the use of posted regulations and user directions, adequate lighting, marked access points and other methods; and
  - 5. **Users:** The users that the facility is intended for match with the range of likely users, with potential conflict among user groups minimized.
  - 6. **Waste/Recycling:** Waste/recycling receptacles are provided and identified; and
  - 7. **Parking/Traffic:** Provision for adequate on-site parking; with impacts of the proposed facility upon neighborhood traffic, and required mitigation shall also be identified.